

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NANCY J. CHEAL,)	
Petitioner)	Civ. No. 05-CV-10595
vs.)	
)	
UNITED STATES OF AMERICA,)	
Respondent)	
)	
_____)	

**RESPONDENT'S MOTION FOR EXTENSION
OF TIME TO FILE RESPONSE**

The United States of America moves this Court for an Order extending for 45 days from June 19, 2007, to August 3, 2007, the time for filing its Response to Petition pursuant to 28 U.S.C. 2255.

As reasons for its motion, the Government submits the following:

1. The Petitioner apparently filed her Section 2255 Petition, through counsel, on November 2 or November 3, 2005. See letter of defense counsel dated May 22, 2007 (indicating memorandum filed November 2, 2005); *cf.* Memorandum of Law (dated November 3, 2005).
2. On May 22, 2007, defense counsel wrote to the Court inquiring as to the status of the Petition.
3. On May 29, 2007, this Court Ordered Petitioner to make service of papers on the United States. The Court further Ordered that the United States file a response within 20 days after service.

4. To develop its response, the United States needs time to obtain the case record, review the closed files, examine the record on appeal, consider the applicable caselaw and draft its response.
5. Moreover, it is the practice of the United States that the draft response to a Section 2255 Petition be reviewed by the U.S. Attorney Appellate Section to ensure consistent and thorough review of the issues among cases prosecuted within the District of Massachusetts and within the Department of Justice.

WHEREFORE, the United States moves this Court for an Order extending for 45 days from June 19, 2007 to August 3, 2007, the time for filing of its response to the Petition.

Respectfully submitted this 12th day of June, 2007.

MICHAEL J. SULLIVAN
United States Attorney

BY: /S/ Diane C. Freniere
DIANE C. FRENIERE
Assistant U.S. Attorney

BY: /s/ Victor A. Wild
VICTOR A. WILD
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that I caused a copy of the foregoing to be served by first-class mail addressed to Matthew A. Kamholtz, Law Offices of Feinberg & Kamholtz, 125 Summer Street, Boston, MA 02110.

/s/ Victor A. Wild
VICTOR A. WILD
Assistant U.S. Attorney